



# City of Laramie

Planning Division  
P.O. Box C  
Laramie, WY 82073

Planning: (307) 721-5207  
Fax: (307) 721-5248

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## LARAMIE PLANNING COMMISSION APRIL 27, 2020 STAFF REPORT

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**FILE:** FP-20-01 Grand View Heights, 6<sup>th</sup> Filing Final Plat

**REQUEST:** A Final Plat proposing 71 residential lots for single family and twin-home development, replating of two existing lots and open space in tracts G, H and M on a 13.9 acre tract of land as part of the Grand View Heights PUD.

**LOCATION:** Located north of Bill Nye Avenue, east of Glacier Street.

**AGENT:** Country Club, LLC (John Edwards)

**APPLICANT(S):** Country Club, LLC (John Edwards)

**OWNER:** Country Club, LLC

**CURRENT ZONING:** R2 (Limited Multi-family Residential)/Grand View Heights PUD/Turner Tract Overlay Zone

**PREPARED BY:** Derek T. Teini, Planning Manager, AICP

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### RECOMMENDED MOTION:

Move to recommend **approval** to the City Council the Grand View Heights 6<sup>th</sup> Filing Final Plat, based on findings of fact and conclusions of law.

### APPLICABLE CITY CODE SECTION(S):

Final Plats must be reviewed by the Planning Commission and City Council. Planning Commission action is forwarded to the City Council as a recommendation.

- Laramie Municipal Code Title 15, Unified Development Code
- Wyoming State Statutes Title 15 Cities and Towns, Article 5 Planning
- Wyoming State Statutes Title 15 Cities and Towns, Article 6 Zoning
- Wyoming State Statutes Title 34 Property Conveyances and Security Transactions, Chapter 12 Platting and Dedication
- Laramie Comprehensive Plan 2007
- Turner Tract Area Plan 2013
- Major Street Plan 2010
- Parks and Recreation Master Plan 2016
- Housing Study 2030
- Thrive Laramie Community and Economic Development Action Strategy 2020

**BACKGROUND:**

The original Grand View Heights Preliminary PUD and Preliminary Plat were considered and ultimately approved by the City on February 14, 2006. Council subsequently approved six additional final plat filings to the Grand View Heights PUD. The six filings have built out areas generally located in the area bounded by Vista Drive and north of future Bill Nye Avenue, with development occurring on the east and west sides of Glacier Drive. This area has been developed with a mixture of 272 single-family attached and detached units. In addition to the residential units, as with all PUDs, open space and associated improvements were required. In total, 13.66 acres of Open Space with physical improvements such as trails, trees, irrigation and pathways, have been provided and the developer has made a \$277,400 in-lieu contribution towards development of this open space.

Following 1<sup>st</sup> – 4<sup>th</sup> filing, the applicant submitted (2013) a revised PUD and Preliminary Plat that included more land owned by the applicant south of Bill Nye, reconfigured undeveloped lots west of Glacier Street, included additional open space, trails and improvements, and included a commercial component, consisting of storage units near the corner of Vista Drive and Bill Nye Avenue. As part of the PUD the applicant was required to provide information related to the PUD in a PUD Handbook, in this case, titled the PUD Development Proposal. The PUD Development Proposal provided an overview of the project and detailed many aspects of the PUD, such as layout, design, current and proposed conditions, land use, commercial component (storage units), open space, phasing and building design, just to name a few. The PUD Handbook, Preliminary Plat and preliminary PUD; were all approved by the Laramie City Council on August 20, 2013. Following preliminary PUD approval, the Final PUD was approved by City Council on February 4, 2014.

This final plat, Grand View Heights 6<sup>th</sup> Filing, will add an additional 71 residential lots for single family and twin-home development, will replat two lots there were part of the Grand View Heights 5<sup>th</sup> Filing, and replat 3 open space tracts; G, H and M to accommodate the reconfiguration of lots in the area. The total development area is 13.9 acres. The streets and general layout related to the preliminary plat is in substantial compliance with the approved preliminary plat, with the biggest difference being removal of a small cul-de-sac and modifying it into an alleyway with rear loading homes.

Note: Grand View Heights 6<sup>th</sup> Filing was submitted by the applicant in 2016, but was withdrawn by the applicant due to changes in the market. Following the 6<sup>th</sup> filing being withdrawn the 7<sup>th</sup> filing (south of Bill Nye) was submitted.

**SURROUNDING LAND USE AND ZONING:**

The property is currently zoned R2 (Limited Multi-family Residential)/Grand View Heights PUD/Turner Tract Overlay Zone, and is undeveloped.

	<b>Future Land Use Designation (Map 3.2)</b>	<b>Zoning</b>	<b>Land Use</b>
<b>Subject Property</b>	(SR) Suburban Residential / (POS) Parks and Open Space / (AUM) Auto Urban Multi-family / (SC) Suburban Commercial	R2 (Limited Multi-family) / Grand View Heights PUD / Turner Tract Overlay Zone	Currently Undeveloped
<b>North</b>	(POS) Parks and Open Space / (AUM) Auto Urban Multi-family / (SC) Suburban Commercial	R2 (Limited Multi-family) / Grand View Heights PUD / Turner Tract Overlay Zone	Single-Family homes
<b>East</b>	(SR) Suburban Residential / (POS) Parks and Open Space / (AUM) Auto Urban Multi-family	R3 (Multi-family Residential) / R2 (Limited Multi-Family Residential) Grand View Heights PUD / Turner Tract Overlay Zone	Single-Family and Single-Family Attached Residential
<b>South</b>	(SR) Suburban Residential / (POS) Parks and Open Space / (AUM) Auto Urban Multi-family	R3 (Multi-family Residential) / Grand View Heights PUD / Turner Tract Overlay Zone	Currently Undeveloped / City Park (undeveloped)
<b>West</b>	(SC) Suburban Commercial	B1 (Business) / Turner Tract Overlay Zone	Currently Undeveloped

**APPLICABILITY TO THE COMPREHENSIVE PLAN:**

Future Land Use:

The City of Laramie’s Comprehensive Plan, Future Land Use Map – Future Land Use Map, Map 3.2, shows this property as mixture of (SR) Suburban Residential, (POS) Parks, Open Space and (AUM) Auto Urban Multi-family. Because of the multiple Land Use character types encompassed within the property, the PUD lends itself to accommodating the mixture of uses, densities and open space associated with the Future Land Use Plan. As filed, the proposed final plat complies with the Land Use Plan and does not prohibit future development in accordance with the Plan.

**APPLICABILITY TO THE TURNER TRACT AREA PLAN AND OVERLAY DISTRICT:**

On February 3, 2003, the Planning Commission recommended approval of the Turner Tract Preliminary Plat according to the guidelines set forth in the Turner Tract Area Plan. City Council approved the preliminary plat on February 18, 2003. On November 5, 2013 the City of Laramie adopted the Turner Tract Area Plan – 2013 via Resolution No. 2013-78, updating the 2001 plan.

As part of the Turner Tract Area Plan – 2013, an area land use plan was approved. In reviewing the final plat and the Turner Tract Area Plan, the proposed final plat is consistent with the plan creating open space and a mixture of single-family and attached single-family residential units. Staff considers the associated final plat to meet the Plan's summary goals, land use and development standards, and concludes that the proposed final plat conforms.

#### **RELATIONSHIP TO THE AQUIFER PROTECTION PLAN:**

The final plat is not located within the Aquifer Protection Overlay Zone.

#### **Relationship to the Parks and Recreation Master Plan:**

The associated Final Plat and PUD, although developed prior to the adoption and development of the Parks and Recreation Master Plan, conforms to the Plan. The Grand View Heights 6<sup>th</sup> Final Plat is located within Service Area 10, which includes open space to be used for the trail network within the Turner Tract.

#### **PROJECT DESIGN AND ADDITIONAL ANALYSIS:**

##### Lot Layout:

The proposed final plat consists of 71 residential lots for single family and twin-home development, will replat two lots there were part of the Grand View Heights 5<sup>th</sup> Filing, and replat 3 open space tracts; G, H and M to accommodate the reconfiguration of lots in the area. The total development area is 13.9 acres. All lots within the final plat meet R2 dimensional requirements set forth in LMC 15.12, except for the lots intended for "cottage" development located on lots 32-45, Block 1, Lots 2 - 15, Block 5 and Lots 9 – 19, Block 6. As approved by the PUD, these lots normally would require a minimum of 6,000 SF per building, where these lots will be about 3,500 SF, which is about half.

##### Street/Access:

New local right-of-way dedication, is proposed with this final plat. All Streets within the final plat will be local streets within a 50 foot right-of-way. Four main segments of street will be constructed including the extension of Geronimo Way, Painted Horse Trail, Buckskin Trail and Cliff Street.

With the Preliminary Plat, alternative street design was recommended and approved for this Final Plat and PUD as allowed under PUD provisions of code. The street section is a hybrid that staff has evaluated and has recommended as associated with the PUD. For all local streets in the PUD, a 50 foot right-of-way will be dedicated, that will include a 34 foot wide roadway width (curb, gutter and asphalt) and a 5 foot sidewalk located on both sides of the street, within the 50 feet. For comparison, standard City local streets are found within a 60 foot right-of-way, with a 46 foot paved roadway width

in existing areas of the city or a 40 foot roadway width in new areas. Standard PUD street widths are 40 or 50 foot rights-of-way with a 32 or 24 foot width of roadway pavement, respectively. In each of these cases, parking is restricted on one or both sides of the street. As proposed by the applicant for this PUD, the paving width will allow for parking on both sides of the street. No vehicular access to Bill Nye Avenue will be allowed for lots that are located on Bill Nye Avenue, with all residential vehicular access using local streets or the alleyway located off of Cliff Street and Glacier Street.

In addition to the typical access issues normally associated with streets, pedestrian access is also a factor for consideration. Throughout the existing subdivision, as well as this area to be developed, numerous pathways and connections are provided throughout the open space tracts that extend along Bill Nye and into the subdivision to the north. In addition all the streets will have sidewalks that will provide standard pedestrian access along the streets.

### Park Land Dedication

Unlike non-PUD Preliminary and Final Plats, where parkland dedication is required based on the number of units within a residential subdivision (commercial plats require no dedication), PUDs are required to provide a minimum of 20% open space, based on total land acreage of the PUD (residential and commercial components apply). Because this project is a PUD, the 20% open space dedication applies to the project as a whole.

Based on the 112.63 acre revised Grand View Height PUD, a total of 22.53 acres of open space would be required for dedication to meet the 20% open space PUD requirement.

- As part of the 6<sup>th</sup> Addition 2.81 acres of additional open space and park land will be provided.
- As part of the 1<sup>st</sup> – 5<sup>th</sup> and 7<sup>th</sup> Additions of the Grand View Heights PUD, has contributed the remaining open space of 10.85 acres of open space, plus some of the required improvements such as trails, irrigation and trees.
- In total 13.66 acres of land will be provided for open space, trails and parks within the PUD, making the PUD deficient by 8.87 acres of land per the required 20% open space.
- Because of the deficiency in dedicated land the applicant was required by the City Council to compensate the City through improvements/development of the open space and cash. Based on parkland dedication requirements and calculations, City Council per staff recommendation, conditioned approval of the Preliminary PUD and Preliminary Plat to require that the additional in-lieu fees be provided as part of the Open Space Agreement already established. On November 19, 2013, the Laramie City Council approved “Amendment Number One” to the original Open Space Agreement between the City and Country Club, LLC. The amendment establishes total acreage of open space and \$443,500 in in-lieu fees to be dedicated as part of the Final PUD and subsequent Final Plats.

NOTE: As part of this Final Plat, and based upon the PUD Amendment, a small reduction in the total amount of landscaping was proposed by the applicant in order to accommodate the reconfiguration of homes within the 6<sup>th</sup> Filing (Allowed by condition #7 of the Preliminary PUD Approval). Small changes to the Open Space Tracts G, H and M resulted in a reduction of the open space by 6,325 Square Feet. Due to this reduction the city has required compensation for the loss in open space,

which calculates out to an amount of \$7,250.00. This amount is required to be paid prior to consideration and approval by the City Council.

Stormwater Management:

Drainage plans have been reviewed and approved by the City Engineer. Drainage for property to the north of Bill Nye is handled regionally and is designed to drain mainly northward towards the open space tracts located within the subdivision, eventually leading to the regional detention area at the corner of Beech Street and Boulder Drive. The final drainage plan complies with the requirements of the preliminary plat.

Water and Sewer Service:

This subdivision will be served by City water and sewer. Adequate water supply and volume exists in this location as well as adequate sewer capacity for maximum build out of the subdivision.

**ANALYSIS OF REQUIRED FINDINGS FOR FINAL PLATS:**

The following findings must be made in the affirmative in order to approve the Final Plat:

**1. The proposed Final Plat complies with the conditions of approval of the Preliminary Plat.**

Staff Response: The Final Plat complies with all applicable conditions of approval (listed below).

1. Required as part of each Final Plat:
  - a. Each Final Plat shall require the stamp of a licensed surveyor.
  - b. Each Final Plat shall have the City of Laramie Community Development Director, City Engineer, Mayor and City Clerk signature block.
  - c. Each Final Plat shall show all easements necessary for the installation of gas, phone and cable if these services are desired.
  - d. Dependent upon the location of any future final plat, a secondary fire/emergency access shall be required for any area which exceeds 30 units (existing or new) with only one access point. The access road shall meet the requirements found in the International Fire Code and shall be reviewed and approved by the Fire Department.
2. Required to be submitted in conjunction with each Final Plat submittal:
  - a. Final Engineering Design Report.
  - b. Prior to or concurrently with each Final Plat submittal, the applicant shall submit Final Engineering Construction drawings for City review and approval.
  - c. Final engineering plans shall include design drawings for any required infrastructure improvements. Design drawings shall be provided to the City for review and approval at the final plat stage. All infrastructure improvements shall be designed in accordance with City requirements.
  - d. Final Engineering Drainage Report. All improvements related to the expansion of the detention area, as approved by the City Engineer, shall be

- built prior to issuance of a Certificate of Occupancy for any lot within any final plat.
- e. Final Engineering Drainage Report shall contain all required details needed for removal and replacement of all installed landscaping and irrigation located around the City Detention Pond. All details and approval of those details shall be at the discretion of the Parks and Recreation Director. A one year bond and warranty will also be required, in order to make sure landscaping remains alive after the removal.
  - f. No dead end water lines shall be permitted. All dead end water lines shall be required to be removed or looped per DEQ standards and approval.
  - g. The open space agreement shall be amended with each filing to incorporate all the details and requirements of the revised Grand View Height PUD. Based on the calculations of acreage of the PUD and the 20% required dedication of land it is estimated that the in total 13.66 acres of property for the use of open space, parks and trails will be dedicated as well as financial contribution in the amount of \$50,000 an acre for the 8.87 acres deficient, in total requiring \$443,500, less the amount already bonded in the original open space agreement of \$277,400, equaling \$166,100 in additional contribution. Note: Minor changes in the numbers will be allowed based on exact acreage associated with each final plat as well as any added open space required such as the westerly pedestrian connection.
  - h. A Final Landscaping Plan shall be provided with each PUD phase.
  - i. For all subsequent Final Plat filings, a proportionate amount of open space shall be provided in relationship to the number of units platted.
3. Miscellaneous Conditions:
- a. Prior to approval of each Final Plat by City Council, the developer shall enter into a Subdivision Security and Improvement Deferral Acknowledgement and provide applicable financial security for public improvements.
  - b. All new and existing utilities are required to be underground.
  - c. Developer shall purchase and install centralized mail box units for the subdivision at the locations designated by the Laramie USPS Postmaster, prior to issuance of any certificate of occupancy.
  - d. All lots of subsequent Final Plats shall be required to access streets that meet the full requirement of city street standards, which include curb, gutters, sidewalk and asphalt.
  - e. For any applicable Final Plat, vacation of the Lot 16, Block 2 and Lot 12, Block 3 3rd filling will be required in conjunction with the newly submitted final plat or plats.
  - f. A pedestrian connection, located between Lot 24 and 25, Block 1 shall be required in conjunction with any final plat that encompasses the area. The access shall be a minimum of 20 feet in width, and include an 8 foot wide sidewalk.
  - g. A 50 foot wide right-of-way with a full 40 foot roadway width, and 5 foot sidewalks on both sides, with parking allowed on both sides will be permitted.
  - h. All trail signage shall reference the AASHTO and MUTCD guidelines for shared use paths.

- i. The Landscape Plan and general notes details the typical open space and drainage swale section with an 8 foot shared use path. Shared use path sections shall be 11 feet in width, 6" concrete on 6" of compacted base with control joints saw cut.
- j. Drainage swale shall be noted at a maximum of 4/1 slope.
- k. The typical street/shared use path crossing shall detail a minimum of two (2) bollards to be located at each street/shared use path entrance in accordance with the City of Laramie, Parks and Recreation standards.
- l. The landscape plan shall be prepared by a certified landscape architect. Provide a landscape plan with a certified landscape architect stamp.
- m. Mesa Road and Buckskin Lane shall be renamed, as they are already reserved and approved for County Subdivisions in the Laramie area.
- n. All drainage culverts shall have trash guards detailed to prevent children from entering the culverts as well as outlet and riprap needs to reduce erosion and dissipate flows.
- o. The shared use path crossings on Glacier Street, Buckskin Trail and Cliff Street are not aligned at 90 degrees to the street and shall be aligned at 90 degrees.
- p. All shared use paths shall meet the requirements of the 2010 ADA Standards for accessible design and the 2012 AASHTO guidelines for bicycle facilities.
- q. Storage Unit Complex Specific Conditions:
  - i. Design Review and Building Permits for the complex will be required to be approved prior to construction of the complex. Any conditions recommended by the Planning Commission or City Council will be reviewed at the Design Review and/or Building Permit stage. Additionally, all conditions as well as items noted as part of the Development Handbook related to the commercial component of the PUD will also be required. Any conflicting condition or requirement in UDC, the stricter will apply.
  - ii. Developer shall confirm the proposed vehicle pathways are designed with the minimum turning radius required for LFD emergency apparatus.
  - iii. Dead-end vehicle roads or accesses, exceeding 150', shall be provided with approved width and turnaround provisions. The RV Storage area seems to exceed this length.
  - iv. Security gates shall be equipped with a means of opening by fire department personnel for emergency access.
  - v. Locking device specifications shall be submitted for approval by the fire code official.
  - vi. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F 2200.
  - vii. A secondary, emergency only access gate at the SE corner of this project will be required. This will provide access to prevent a delayed response due to main roadway/access gate blockage. If the primary access gate is a lift type then a secondary swinging or sliding gate shall be installed.



- viii. No residence will be allowed in conjunction with the storage unit complex.
- ix. 50% of the L2 required bufferyard, include landscaped units and width will be required to be redistributed along the 3 remaining sides of the site.
- x. All signage associated with the complex will be required to conform to B1 signage requirements and shall permit only monument style signs.
- xi. The wrought iron fence associated with the storage unit complex will be required to meet all UDC fencing requirements, including fencing requirements for those adjacent to Arterial and Collector Streets.
- r. The landscape plan shall be prepared by a certified landscape architect.
- s. The area located in "Tract E" designed for stormwater detention shall be counted towards the open space dedication requirement for this PUD.
- t. Cross sections of the trails A, B and C shall be shown on the landscape plan that can demonstrate the drainage way trail can be accommodated in the dedicated area.
- u. No access for any lot associated with the Preliminary Plat or PUD shall be permitted access to Bill Nye Avenue.
- v. Driveway widths will be allowed to match garage widths of a unit as long as the requirements of 15.14.080.C.4 are met.
- w. Residential xeriscaping option will be allowed within the PUD subject to the xeriscaping standards of 15.14.050.E.5 of the UDC for front yard required landscaping. Any remaining yard may follow the xeriscaping standards of the PUD Development Plan.
- x. Cul-de-sacs will need to accommodate fire apparatus turning radius minimums. This information shall be provided at the Final Plat stage for any cul-de-sac.
- y. For all areas adjacent to open space, public ways and street, white vinyl split-rail, white vinyl (similar to that found in the existing areas of the PUD) and no fencing are options for fencing.
- z. ~~As part of the first filing of the revised PUD, "Tract E" will be platted and provided as open space.~~ (Amended by Planning Commission and City Council)
- aa. "Tract E" shall be final platted in the first available Grand View Heights Final Plat and PUD following construction of Bill Nye Avenue adjacent to "Tract E". (As amended by Planning Commission and City Council)

**2. The layout and design of the proposed final plat is in substantial compliance with the approved preliminary plat.**

Staff Response: The layout and design of the proposed Final Plat is in substantial compliance with the preliminary plat. Per LMC a 10% change in the number of lots is allowed in order for the preliminary plat to remain in compliance with the original approval. In total 389 lots existed prior to the request to reconfigure the lots within the 6<sup>th</sup> filing. With 389 lots a 10% change would be a 39 lot increase or decrease. The current proposal increases the number

of lots by 30 units, thus this change is allowed under the current threshold. Aside from this change the Final Plat is in substantial conformance with the preliminary plat.

**3. The subdivision improvement plans have been reviewed and approved for construction.**

Staff Response: The subdivision improvement plans have been reviewed by City staff and have been approved for construction.

**4. The applicant has completed applicable improvement agreement(s) for construction of the required public improvements.**

Staff Response: The applicant has not yet finalized the financial security, but will be required to provide the required Subdivision Security and Improvement Deferral Acknowledgment and associated financial security prior to City Council approval.

**PUBLIC COMMENTS:**

Public notice was mailed on April 10, 2020 and published in the Laramie Boomerang on April 11, 2020. Staff has received multiple public comments related to this project; those public comments are attached. Generally, all public comments are not in support of the changes to the PUD or Plat, citing the following summary of concerns:

- The increase in density and smaller single-family home lots
- The inclusion of twin-homes
- Open Space and parks
- Parking
- Potential for units to become rentals
- Water and sewer capacity and fire flow
- Access
- Traffic
- Street Widths
- Devaluation of area homes
- Any change at all in what was approved
- Property maintenance (snow removal and upkeep of properties)

**FINDINGS OF FACT AND CONCLUSIONS OF LAW:**

Findings of Fact:

- The Final Plat complies with the above approval criteria for final plats.

Conclusions of Law:

- The applicant is proceeding in accordance with requirements of and Wyoming State Statutes Title 34 and Laramie Municipal Code Title 16.

**ALTERNATIVES:**

1. Approve the Final Plat based on findings of fact and conclusions of law (**Staff recommendation**);
2. Deny the Final Plat based on findings of fact;
3. Postpone the Final Plat until issues identified during the meeting can be resolved.

**STAFF RECOMMENDATION:**

Move to recommend **approval** to the City Council the Grand View Heights 7<sup>th</sup> Filing Final Plat, based on findings of fact and conclusions of law.

**ATTACHMENTS**

1. Vicinity Map (1 page)
2. Grand View Heights 6<sup>th</sup> Filing, Final Plat (2 pages)
3. Applicant Cover Letter and Attachments (18 Pages)
4. Grand View Heights Preliminary Plat (1 page)
5. Grand View Heights Open Space Plan (1 page)
6. Parks and Recreation Master Plan – SA 10 (1 page)
7. Public Comments (18 pages)